

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

CR-19-23-GF-BMM

Plaintiff,

vs.

AMBER VICTORIA
STANDINGROCK,

ORDER

Defendant.

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on February 22, 2023. (Doc. 100.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on February 21, 2023. (Doc. 95.) The United States accused Amber Victoria Standingrock (Standingrock) of violating her conditions of supervised release 1) by using marijuana on five separate occasions; and 2) by using fentanyl. (Doc. 94.)

At the revocation hearing, Standingrock admitted to violating the conditions of her supervised release by using marijuana on five separate occasions. Standingrock denied that she used fentanyl. The government did not attempt to show that Standingrock had used fentanyl. Judge Johnston found that the violations that Standingrock admitted proved to be serious and warranted revocation, and recommended that Standingrock receive a custodial sentence of 12 months and 1 day, with no supervised release to follow. (Doc. 100.) Standingrock was advised of her right to appeal and her right to allocute before the undersigned. She waived those rights. (Doc. 95.) The violations prove serious and warrants revocation of Standingrock's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 100) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Amber Victoria Standingrock be sentenced to the custody of the United States Bureau of Prisons for 12 months and 1 day, with no supervised release to follow.

DATED this 27th day of February, 2023.



Brian Morris

Brian Morris, Chief District Judge
United States District Court